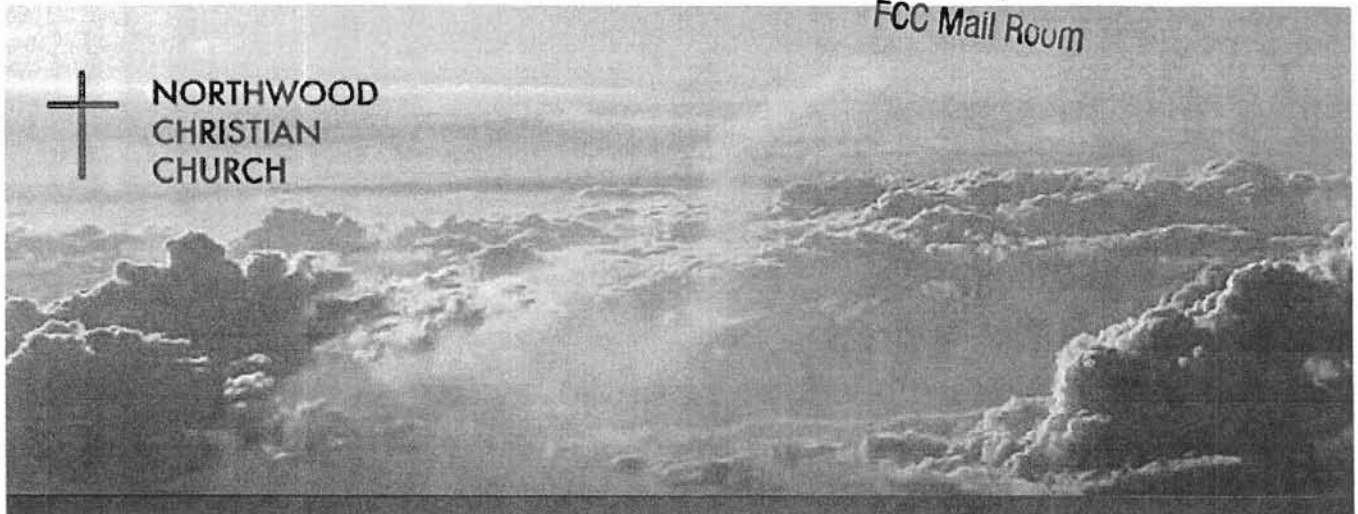


06B-CC-0987

Received & Inspected

MAR 1 2010

FCC Mail Room



1-22-10

Via First Class U.S. Mail

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, D.C. 20554

Received & Inspected

MAR - 1 2010

FCC Mail Room

Re: Petition for Undue Burden Exemption
from Closed Captioning Rules

Dear Ms. Dortch:

This letter is submitted pursuant to 47 C.F.R. §79.1(f) and requests an exemption on behalf of Northwood Christian Church from the FCC's closed captioning rules based on undue burden. In accordance with 47 C.F.R. §79.1(f)(4), the original and two copies of this letter and all support are being provided.

Northwood Christian Church is a donor supported non-profit organization under the laws of the state of Indiana . Since 2008, we have produced a weekly 30-minute video program called Spiritual Journey. Spiritual Journey is a program that is a church program that highlights the Church's Pastor and ministry to reach people for Christ.. Spiritual Journey is locally produced in-house by Northwood Christian Church's staff, and is broadcast to the public on WHMB of Indianapolis. Northwood Christian Church pays WHMB \$175 per to air the show over its broadcast facilities.

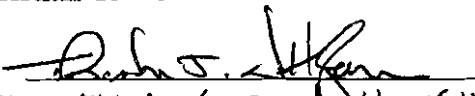
Captioning the program would present an undue burden for several reasons. First, since we do not have the resources to caption the program ourselves, it would have to be sent to an outside source for captioning. Second, the added production cost for captioning would make production of the program unaffordable and the time for captioning would make meeting WHMB air-date deadlines impossible. Finally, a captioning requirement would ultimately cause us to either terminate or severely limit production of the program, and cause us to lose viewers and supporters who would no longer be able to regularly view the program. We have discussed with WHMB the possibility of their assisting us in captioning the program at no cost, but they have advised us that they do not have the necessary resources or staffing to perform captioning on our behalf.

Northwood Christian Church respectfully submits that the basis for its captioning exemption request based on undue burden is practically identical to the facts justifying undue burden exemptions in the Commission's 2006 Memorandum Opinion & Order, *In Re Anglers for Christ Ministries, Inc. & New Beginning Ministries Petitions for Exemption from Closed Captioning Requirements*, CGB-CC-0005 and -0007, 21 FCC Rcd 10094 (September 12, 2006). In light of that precedent, and the facts set forth in this letter, we respectfully request that Northwood Christian Church be granted an undue burden exemption from the captioning requirements for Spiritual Journey.

In support of our request, we provide a copy of certain documents establishing Northwood Christian Church's non-profit status. In addition, as permitted by §1.16 of the Commission's rules, we are providing a Declaration Under Penalty of Perjury in support of the facts set forth in this request for exemption in lieu of the affidavit required by §79.1(f)(9). Should the Commission require additional information, please contact the undersigned individual.

Respectfully:

Northwood Christian Church

By: 
Printed Name: THEODORE J. DeHartman
Title: PASTOR

**Declaration Under Penalty of Perjury of WHMB TV-40
in support of Northwood Christian Church's Request for Undue
Burden Exemption from Closed Captioning Rules**

I, Pastor Ted Nottingham , Senior Pastor of Northwood Christian Church , do hereby declare under penalty of perjury of the laws of the United States of America that the following statements are true and correct.

1. Northwood Christian Church is a donor supported non-profit organization organized under the laws of the state of Indiana .

2. Since 2008, Northwood Christian Church has produced a 30-minute video program called Spiritual Journey. Spiritual Journey is a program that is a church program that highlights the Church's Pastor and ministry to reach people for Christ. Spiritual Journey is locally produced in-house by Northwood Christian Church's staff, and is broadcast to the public on WHMB of Indianapolis, Indiana. Northwood Christian Church pays WHMB \$175 per week to air the show over its broadcast facilities.

3. Northwood Christian Church has discussed with WHMB the possibility of their assisting in captioning Spiritual Journey at no cost, but they have advised us that they do not have the necessary resources or staffing to perform captioning on our behalf.

4. Captioning Spiritual Journey would present an undue burden because we do not have the resources to caption the program ourselves, and it would have to be sent to an outside source for captioning.

5. The added production cost for captioning would make production of the program unaffordable and the time for captioning would make meeting WHMB air-date deadlines impossible.

6. A captioning requirement for Spiritual Journey would ultimately cause Northwood Christian Church to either terminate or severely limit production of the program, and cause us to lose viewers and supporters who would no longer be able to regularly view the program.

Executed on February 23, 2010


Signature